
By: **Senator Jimeno**
Introduced and read first time: January 31, 2003
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Records - Motor Vehicle Records - Access by Hospitals**

3 FOR the purpose of requiring the custodian of Motor Vehicle Administration records
4 to disclose to a hospital, for hospital security purposes, personal information
5 relating to the ownership of vehicles parked on hospital property; and generally
6 relating to hospital access to Motor Vehicle Administration records.

7 BY repealing and reenacting, with amendments,
8 Article - State Government
9 Section 10-616(p)
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - State Government**

15 10-616.

16 (p) (1) Except as provided in paragraphs (2) through (5) of this subsection, a
17 custodian may not knowingly disclose a public record of the Motor Vehicle
18 Administration containing personal information.

19 (2) A custodian shall disclose personal information when required by
20 federal law.

21 (3) (i) This paragraph applies only to the disclosure of personal
22 information for any use in response to a request for an individual motor vehicle
23 record.

24 (ii) The custodian may not disclose personal information without
25 written consent from the person in interest.

26 (iii) 1. At any time the person in interest may withdraw consent
27 to disclose personal information by notifying the custodian.

1 Business Occupations and Professions Article for a purpose permitted under this
2 paragraph;

3 (iv) for use in connection with a civil, administrative, arbitral, or
4 criminal proceeding in a federal, state, or local court or regulatory agency for service
5 of process, investigation in anticipation of litigation, and execution or enforcement of
6 judgments or orders;

7 (v) for purposes of research or statistical reporting as approved by
8 the Motor Vehicle Administration provided that the personal information is not
9 published, redisclosed, or used to contact the individual;

10 (vi) for use by an insurer, insurance support organization, or
11 self-insured entity, or its employees, agents, or contractors, in connection with rating,
12 underwriting, claims investigating, and antifraud activities;

13 (vii) for use in the normal course of business activity by a legitimate
14 business entity, its agents, employees, or contractors, but only:

15 1. to verify the accuracy of personal information submitted
16 by the individual to that entity; and

17 2. if the information submitted is not accurate, to obtain
18 correct information only for the purpose of:

19 A. preventing fraud by the individual;

20 B. pursuing legal remedies against the individual; or

21 C. recovering on a debt or security interest against the
22 individual;

23 (viii) for use by an employer or insurer to obtain or verify information
24 relating to a holder of a commercial driver's license that is required under the
25 Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C.A. § 2701 et seq.);

26 (ix) for use in connection with the operation of a private toll
27 transportation facility;

28 (x) for use in providing notice to the owner of a towed or impounded
29 motor vehicle;

30 (xi) for use by an applicant who provides written consent from the
31 individual to whom the information pertains if the consent is obtained within the
32 6-month period before the date of the request for personal information;

33 (xii) for use in any matter relating to:

34 1. the operation of a Class B (for hire), Class C (funeral and
35 ambulance), or Class Q (limousine) vehicle; and

